

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LAURENCE RAY MCCOLLOCH
and BRENTON ARTHUR BAUGH

MAILED

OCT 20 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Appeal No. 2005-2299
Application No. 10/603,714

ON BRIEF

Before THOMAS, OWENS, and MACDONALD, *Administrative Patent Judges*.
OWENS, *Administrative Patent Judge*.

DECISION ON APPEAL

This appeal is from a rejection of claims 1-20, which are all of the pending claims.

THE INVENTION

The appellants claim a connection cable comprising an optical cable and an integrated electrical connector, and also claim methods for making the cable and for using the cable to connect two devices. Claim 1 is illustrative:

1. A connection cable comprising an optical cable; and,

an integrated electrical connection permanently fixed to the optical cable, the integrated electrical connector being for plug-in connection to a matching electrical connector on a target device;

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wherein data transmission through the optical cable uses a protocol that is different than a protocol used for data transmission between the integrated electrical connector and the matching electrical connector.

THE REFERENCE

Bucklen US 2002/0159725 A1 Oct. 31, 2002
(patent application publication)

THE REJECTION

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Bucklen.¹

OPINION

We affirm the aforementioned rejection.

The appellants argue that the claims stand or fall in three groups: 1) claims 1-7, 2) claims 8-14, and 3) claims 15-20 (brief, page 3). The appellants, however, make the same argument for each group (brief, pages 6-11). The claims, therefore, stand or fall together. See *In re Ochiai*, 71 F.3d 1565, 1566 n.2, 37 USPQ2d 1127, 1129 n.2 (Fed. Cir. 1995); 37 CFR § 41.67(c)(1)(vii) (2004). Accordingly, we limit our discussion to one claim, i.e., claim 1.

¹ A rejection of claims 1-20 under 35 U.S.C. § 112, first paragraph, written description requirement, is withdrawn in the examiner's answer (page 3).

Bucklen discloses a connection cable comprising an optical cable (28/30) and, permanently fixed to the optical cable, an integrated electrical connector for plug-in to a matching electrical connector on a target device (paragraphs 0023 and 0025; figure 3). The optical fibers in the optical cable are coupled at one end to a semiconductor laser (32) and at the other end to a photodiode (34), and the semiconductor lasers and photodiodes are coupled to pairs of electrical contacts (27) (paragraphs 0024 and 0028; figure 3). As indicated by a definition of "protocol" relied upon by the appellants (brief, page 3 - "a specific set of rules, procedures or conventions relating to format and timing of data transmission between two devices"), Bucklen's disclosure that the coupling of the semiconductor lasers and the photodiodes between the optical fibers and the electrical contacts may be accompanied by the insertion of signal formatters (paragraph 0028) would have been interpreted by one of ordinary skill in the art as encompassing a change in format and protocol at that point.

The appellants argue that Bucklen has no circuitry that can make changes in framing or timing of data transmission (reply brief, page 7; reply brief, page 4). Because a protocol is a specific set of rules, procedures or conventions relating to format and timing of data transmission between two devices (brief,

page 3), one of ordinary skill in the art would have interpreted Bucklen's disclosure of a signal formatter between the optical fibers and the electrical contacts as encompassing circuitry or software for changing, at that point, the format and timing of data transmission in accordance with a different protocol.

The appellants argue that Bucklen's figure 3 shows optical signals being turned directly into electrical signals, and vice versa (brief, page 8; reply brief, page 5). That argument is not persuasive in view of Bucklen's disclosure of a signal formatter accompanying the coupling between the optical fibers and the electrical contacts as discussed above.

For the above reasons we find that the connection cable claimed in the appellants' claim 1 is anticipated by Bucklen. Accordingly, we affirm the rejection of that claim and claims 2-20 that stand or fall therewith.

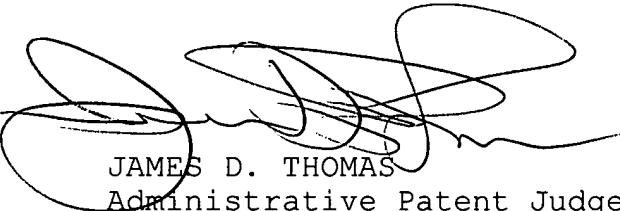
DECISION

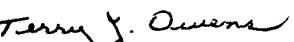
The rejection of claims 1-20 under 35 U.S.C. § 102(b) over Bucklen is affirmed.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR 1.136(a)(iv) (effective Sept. 13, 2003); 69 Fed. Reg. 49960 (Aug. 12, 2004); 1286 Off. Gaz. Pat. Office 21 (Sept. 7, 2004)).

AFFIRMED



JAMES D. THOMAS)
Administrative Patent Judge)
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Terry J. Owens)
TERRY J. OWENS)
Administrative Patent Judge)
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ALLEN R. MACDONALD)
Administrative Patent Judge)

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Application No. 10/603,714

AGILENT TECHNOLOGIES, INC.
LEGAL DEPARTMENT, DL 429
INTELLECTUAL PROPERTY ADMINISTRATION
P.O. BOX 7599
LOVELAND, CO 80537-0599